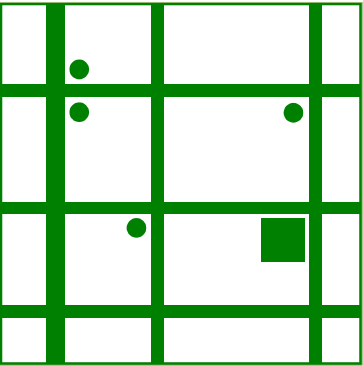


City of Greensboro
300 W. Washington St.
P.O. Box 3136
Greensboro, North Carolina
27402-3136

PLANNING DEPARTMENT

Planning Department's

Guide to Conditional
Zoning Districts



Greensboro,
North Carolina

Conditional District Zoning

WHAT IS CONDITIONAL DISTRICT ZONING?

An applicant can propose use limitations on the property or propose certain conditions to ensure compatibility between the property and surrounding neighborhood (such as landscaping beyond the minimum standards). This is called conditional zoning; a request such as this is made by applying for a conditional zoning district. **Only the property owner can apply for a rezoning to a conditional zoning district.** Conditional zoning districts have all the requirements of the corresponding general use district as well as the conditions imposed by the property owner. Once Staff has accepted a request for a conditional zoning district, it cannot be changed except at the public hearing of the Zoning Commission or City Council. Any amendments to conditions must make the conditions more restrictive or decrease the size of the property rezoned.



WORKING WITH THE PLANNING DEPARTMENT TO PROPOSE USE LIMITATIONS

IMPORTANT CONSIDERATIONS

- **Zoning regulations already required by the Development Ordinance are not appropriate conditions.**
- Whenever possible, zoning conditions must utilize common terminology from the Development Ordinance.
- To be enforceable, zoning conditions must be clear and measurable (i.e., quantitative rather than qualitative). Conditions that use vague descriptions should be avoided.
- Applicants are encouraged to meet with Staff to discuss zoning conditions prior to the submission of a rezoning application. Furthermore, draft conditions should be reviewed by Staff prior to finalizing the application.
- Staff may require revisions to zoning conditions following the submission of a rezoning application to ensure legality and enforceability.
- If zoning conditions are to be amended at a public hearing, Staff will need to receive a written copy by 12:00 pm on the Friday prior to a Zoning Commission meeting, or by 12:00 pm on the Monday prior to a City Council meeting. A full set of the conditions including any highlighted additions/deletions, must also be submitted to the Zoning Commission or City Council at the public hearing.

EXAMPLES OF APPROPRIATE CONDITIONS

The following examples of zoning conditions are those typically associated with rezoning requests. A request is neither limited to nor required to include any of the zoning conditions or portions thereof given as examples in this guide. Every property or

situation is unique, and thus zoning conditions should be carefully considered before being added to an application.

Uses:

- § Uses limited to *medical and dental offices*.
- § Uses limited to *townhomes* designed for sale. (this condition denotes for sale units versus rental units)
- § All uses permitted in the Limited Business District except *convenience stores with fuel pumps*.
- § Any use with drive-thru service shall not be permitted.

Density:

- § Maximum of 20 dwelling units.
- § Maximum of 20,000 square feet of gross floor area shall be permitted on the site.

Dimensional Requirements:

- § No structure shall exceed 2 above ground stories in height.
- § *Minimum* building setback of 50 feet from the *eastern property line*.
- § *Maximum* building setback of 20 feet from the *street right-of-way line*.

Signage:

- § Freestanding signage shall be limited to monument signs with a maximum height of 6 feet and maximum size of 48 square feet.
- § Outdoor advertising signs (billboards) shall be prohibited.

Landscaping and Buffering:

(See Development Ordinance for specific planting widths and rates)

- § A 50 foot undisturbed buffer shall be maintained along the *northern property line*.
- § The required planting yard width and planting rate shall be *doubled* along the *western property line*.

- § A 15 foot wide street planting yard shall be provided along *Spring Garden Street* with a planting rate of 3 canopy trees, 3 understory trees, and 20 shrubs per 100 linear feet.

- § *Solid wood fencing* at a minimum height of 6 feet shall be provided along the *southern property line*.

Design Issues:

- § The exterior of *all structures* shall be constructed primarily of *brick* building materials.
- § Expanses of blank walls shall not exceed 15 feet in length without fenestration or architectural features.
- § Off-street parking areas shall be prohibited between the principal building and *adjacent street right-of-way(s)*.
- § Interior pedestrian circulation between the principal building(s) and public streets shall be provided through the use of clearly defined walkways.
- § Outside storage shall be prohibited.
- § Exterior lighting fixtures shall be a maximum of 15 feet in height.
- § Vehicular cross access shall be provided to *adjacent properties*.
- § Maximum of *one* vehicular access point on *Spring Garden Street*.

EXAMPLES OF INAPPROPRIATE CONDITIONS

- § Each principal dwelling unit shall be a minimum of 3,000 square feet (this condition could be exclusionary and is not appropriate*).
- § Each principal dwelling unit shall have a minimum sale price of \$100,000 (this condition could be exclusionary and is not appropriate*).
- § Additional landscaping shall be provided along some of the property lines (not a

quantitative condition...need to specify the amount, type, and specific location).

- § All dumpsters shall be screened (already required by the Development Ordinance).

* Conditions that are not appropriate for a conditional zoning district may be agreed upon by the applicant and affected parties subject to a private agreement.

WHAT ABOUT THE ADJACENT NEIGHBORHOOD?

The rezoning process allows a developer to foster relationships with neighborhood residents to ease the strain and impact new developments pose on existing neighborhoods. With this in mind, the City Council and Zoning Commission have expressed a strong desire that an applicant communicate with affected property owners prior to the public hearing. Staff also encourages applicants to discuss specifics of their case with neighboring residents prior to submitting an application. This preliminary discussion can take place in the form of a public neighborhood meeting, attendance at a neighborhood association meeting, or some other means such as written communication.

CITY OF GREENSBORO
300 W. Washington St.
P.O. Box 3136
Greensboro, North Carolina 27402-3136

Tel: 336-373-2144
Fax: 336-412-6315
Email: planning.email@greensboro-nc.gov